

MR1957-861

Serial Number: 10/796,252

Reply to Office Action dated 13 December 2006

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 13 December 2006. Responsive to that Office Action, Claim 1 has been amended for further prosecution with the other pending Claim. It is believed that with such amendment of Claim 1 there is a further clarification of the pending Claim 1 recitations.

In the Office Action, the Examiner rejected Claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over the Schmitt, et al. reference in view of the Huang, et al. reference. In setting forth this rejection, the Examiner acknowledged that the Schmitt, et al. reference failed to disclose a Bluetooth ear set, but cited Huang, et al. for disclosing such, concluding that it would have been obvious to one of ordinary skill in the art at the time of the invention to use a Bluetooth earpiece, in the Schmitt, et al. system.

As newly-amended independent Claim 1 now more clearly recites, Applicant's claimed system includes among its combination of features a car audio apparatus that includes a sound switch therein. The sound switch is coupled to "a first sound signal processor and a second sound signal processor." As Claim 1 further clarifies, the "first sound signal processor" is "coupled to said speaker" and "said second sound signal" is "coupled to a car stereo."

The full combination of these and other features now more clearly recited by Applicant's pending Claims is nowhere disclosed by the cited references. Note in this regard, that the Schmitt, et al. reference fails to disclose or suggest a sound switch that "automatically and responsively" chooses the first sound signal processor to output sound via the speaker, when the Bluetooth earphone is inserted into the socket. Even beyond this, it is unclear whether either of the cited references disclose or suggest the sound

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switch being coupled to a first sound signal processor and a second sound signal processor.

While the Schmitt, et al. reference does state that the adapter module can be installed in the modified car radio, such remains silent as to whether the adapter includes a sound switch which automatically and responsively chooses the first sound signal processor to output sound via the speaker responsive to the Bluetooth earphone being plugged into the car apparatus socket.

Given such deficient teachings of the Schmitt, et al. reference, the secondarily-cited Huang, et al. reference is found to be quite ineffectual to the present patentability analysis. The Huang, et al. reference was cited for disclosing the isolated feature of a Bluetooth earphone, and fails to sufficiently remedy the deficiencies of the Schmitt, et al. reference.

The other references cited by the Examiner but not used in the rejection are believed to be further remote from Applicant's claimed control module when patentability considerations are taken properly into account.

It is respectfully submitted, therefore, that the Schmitt, et al. and Huang, et al. references, even when considered together, fail to disclose the unique combination of elements now more clearly recited by Applicant's pending Claims for the purposes and objectives disclosed in the subject Patent Application.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

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ROSENBERG KLEIN AND LEE

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No fees are believed to be due with this Amendment. If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE



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Dated: 3/13/07

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I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Art Unit #2618, facsimile number 571-273-8300 on the date shown below.

3/13/07
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Morton J. Rosenberg